UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/810,534	03/19/2001	Masahiro Machida	108973	6709

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EXAMINER
KE, PENG

ART UNIT	PAPER NUMBER
2174	

DATE MAILED: 08/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/810,534	MACHIDA ET AL.
	Examiner	Art Unit
	Peng Ke	2174

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _26 May 2005_.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1, 3 – 7, and 9 – 22_ is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _1, 3 – 7, and 9 – 22_ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a) ☐ All   b) ☐ Some * c) ☐ None of:

   1. ☐ Certified copies of the priority documents have been received.

   2. ☐ Certified copies of the priority documents have been received in Application No. _____.

   3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
   application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

This communication is responsive to Amendment, filed 10/04/04.

This Action is made FINAL.

Claims 1, 3 – 7, and 9 – 22 are pending in this application. Claims 1, 7, 13, 14, 16, 18,

20, and 22 are independent claims. In the Amendment A claims 1, 7, 13, 14, 16, 18, 20, and 22

were amended.

The text of those sections of Title 35, U.S. Code not included in this action can be found

in a prior Office action.

Claim Rejections - 35 USC § 103

Claims 1, 3 – 7, 9 – 14, 18 and 22 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Miller et al., U.S. Patent No. 6,661,437 in view of Berman, U.S. Patent

5,845,124 further in view Wehmeyer et al. U.S. Patent 5,781,247.

As per claim 1, Miller teaches an operating method for sequentially performing settings

for plural items in predetermined order, comprising the steps of:

sequentially displaying, on a display device plural setting frames provided to the plural

items, respectively; and

displaying all the plural items in a single display when one of the plural setting

frames is displayed, (see Miller, figure 9, items 910, 915, and 920 and column 7, lines

44 – 55) wherein items which have already been set along with their set parameter and

items which are being set are displayed so as to be distinguishable from each other

(see Miller, column 5, lines 20 – 25).

Miller does not teach wherein items which have been already set, items which are being set and items which have not yet been set are displayed so as to be distinguishable from one another.

Berman teaches wherein items which have been already set, items which are being set, and items which have not yet been set are displayed so as to be distinguishable from one another (see Berman, column 8, lines 1 – 13; it is inherent that items which have not yet been defined are displayed as regular lines if there are three different contrasting shades, and items which are currently being defined are depicted with solid bold lines and items which have been previously defined are depicted with dotted bold lines). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Berman with the method of Miller in order to provide a distinction that is easily recognized by the user.

However, both Miller and Berman fail to teach displaying both the set menu items and the menu items that have not been set in a single frame.

Wehmeyer teaches displaying both the set menu items and the menu items that have not been set in a single frame. (figure 2, item items 203- 207; column 2 ,lines 32-48; Since 103-107 are the only available menu items under Wehmeyer's FETCH command, therefore all the menus items are display in a single frame)

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Wehmeyer with the method of Miller and Berman in order to provide users with a customizable menu that only includes user's favorite or the most frequently used commands.

As per claim 3, which is dependent on claim 1, Miller, Berman, and Wehmeyer teach the method of claim 1 (see rejection above). Miller further teaches the operation method as claimed in claim 1, wherein values which have been set are displayed for the items which have been already set (see Miller, figure 9, item 915 and column 7, lines 44 – 55).

As per claim 4, which is dependent on claim 1, Miller, Berman, and Wehmeyer teach the method of claim 1 (see rejection above). Miller further teaches the operating method as claimed in claim 1, wherein an operation of displaying a setting frame for an item which has been already set is allowed to be carried out when one of the plural setting frames is displayed (see Miller, figure 9, item 915 and column 7, lines 44 – 55).

As per claim 5, which is dependent on claim 4, Miller, Berman, and Wehmeyer teach the method of claim 4 (see rejection above). Miller further teaches the operating method as claimed in claim 4, wherein the setting frame for the item which has been already set is displayed, the setting for the item is carried out, and the setting frame being displayed is automatically restored to a previous setting frame which is displayed just before the setting frame for the item which has been already set is displayed (see Miller, figure 9, items 910, 915, and 920, and column 7, lines 44 – 55; it is inherent that the current setting frame will be displayed as the setting frames for previously selected settings after it is set).

As per claim 6, which is dependent on claim 5, Miller, Berman, and Wehmeyer teach the method of claim 5 (see rejection above). Miller further teaches the operating method as claimed in claim 5, wherein when the setting frame is restored to the previous setting frame, a state which has been just previously set is maintained (see Miller, figure 9, items 910, 915, and 920, and column 7, lines 44 – 55; it is inherent that the state that is set is maintained if the state is displayed in the previously set frames which were set in the sequence prior to the setting frame currently being displayed).

As per claims 7 and 9 – 12, they are of similar scope to claims 1 and 3 – 6 respectively, and are rejected under the same rationale.

As per claim 13, it is of similar scope to claim 1 and is rejected under the same rationale as claim 1 (see rejection above).

As per claim 14, Miller teaches an operating method for sequentially performing settings for plural items in predetermined order to perform settings for a processor, the method comprising the steps of:

carrying out a processing operation of the processor on the basis of the contents set for the plural items (see Miller, column 3, lines 20 – 23);

displaying all the plural items in a single display (see Miller, figure 9, items 910, 915, and 920 and column 7, lines 44 – 55) wherein items which have been already set along with their set parameter and items which are being set along with parameters to chooses from are displayed so

as to be distinguishable from one another (see Miller, column 5, lines 20 – 25);

and maintaining the contents set for the plural items (see Miller, column 3, lines 6 – 7).

Miller does not teach displaying items which have been already set, items which are being set and items which have not yet been set are displayed so as to be distinguishable from one another. Berman teaches displaying items which have been already set, items which are being set and items which have not yet been set are displayed so as to be distinguishable from one another (see Berman, column 8, lines 1 – 13; it is inherent that items which have not yet been defined are displayed as regular lines if there are three different contrasting shades, and items which are currently being defined are depicted with solid bold lines and items which have been previously defined are depicted with dotted bold lines). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Berman with the method of Miller in order to provide a distinction that is easily recognized by the user.

However, both Miller and Berman fail to teach displaying both the set menu items and the menu items that have not been set in a single frame.

Wehmeyer teaches displaying both the set menu items and the menu items that have not been set in a single frame. (figure 2, item items 203- 207; column 2 ,lines 32-48; Since 103-107 are the only available menu items under Wehmeyer's FETCH command, therefore all the menus items are display in a single frame)

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Wehmeyer with the method of Miller and Berman in order to provide users with a customizable menu that only includes user's favorite or

the most frequently used commands.

As per claim 18, Miller teaches an operating device for sequentially performing settings

for plural items in predetermined order to perform settings for a processor, the device

comprising:

a holding unit that holds contents set for the plural items after the processing operation of

the processor is carried out on the basis of the contents set for the plural items (see Miller,

column 4, lines 53 – 67); and

a single display wherein all of the items which have been already set along with their set

parameter and which are being set are displayed so as to be distinguishable from one another (see

Miller, figure 9, column 5, lines 20 – 25, and column 7, lines 44 – 55).

Miller does not teach a single display wherein all of the items which have been already

set, which are being set and which have not yet been set are displayed so as to be distinguishable

from one another. Berman teaches a single display wherein all of the items which have been

already set, which are being set and which have not yet been set are displayed so as to be

distinguishable from one another (see Berman, column 8, lines 1 – 13; it is inherent that items

which have not yet been defined are displayed as regular lines if there are three different

contrasting shades, and items which are currently being defined are depicted with solid bold lines

and items which have been previously defined are depicted with dotted bold lines). It would

have been obvious to one of ordinary skill in the art at the time of the invention to incorporate

the method of Berman with the method of Miller in order to provide a distinction that is easily

recognized by the user.

However, both Miller and Berman fail to teach displaying both the set menu items
and the menu items that have not been set in a single frame.

Wehmeyer teaches displaying both the set menu items and the menu items that
have not been set in a single frame. (figure 2, item items 203- 207; column 2 ,lines 32-
48; Since 103-107 are the only available menu items under Wehmeyer's FETCH
command, therefore all the menus items are display in a single frame)

It would have been obvious to one of ordinary skill in the art at the time of the
invention to incorporate the method of Wehmeyer with the method of Miller and Berman
in order to provide users with a customizable menu that only includes user's favorite or
the most frequently used commands.

As per claim 22, it is of similar scope to claim 18 and is rejected under the same rationale
as claim 18 (see rejection above).

Claims 15 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miller
et al., U.S. Patent No. 6,661,437 in view of Berman, U.S. Patent 5,845,124, further in view
Wehmeyer et al. U.S. Patent 5,781,247 further in view of Shiels, U.S. Patent 5,751,953.

As per claim 15, Miller, Berman, and Wehmeyer teach the method of claim 14 (see
rejection above). Miller, Berman, and Whmeyer do not teach the operating method as claimed in

claim 14, wherein after the processing operation of the processor is executed, an instruction can be provided as to whether the contents set for the plural items are maintained or the contents set are cleared.

Shiels teaches wherein after a processing operation of the processor is executed, an instruction can be provided as to whether the contents set for the plural items are maintained or the contents set are cleared (see Shiels, column 7, lines 32 – 35). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Shiels with the method of Miller, Berman, and Wehmeyer in order to allow a user to save or discard settings set for a particular process.

As per claim 19, it is of similar scope to claim 15 and is rejected under the same rationale as claim 15 (see rejection above).

Claims 16, 17, 20 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fado et al., U.S. Patent No. 6,067,084 in view of Miller et al., U.S. Patent No. 6,661,437. further in view of Wehmeyer et al. U.S. Patent 5,781,247

As per claim 16, Fado teaches an operating method for sequentially performing settings for plural items in predetermined order to perform the setting for a processor, the method comprising:

enabling provision of instruction for all the settings for the plural items to be initial

settings (see Fado, column 7, lines 33 – 42; the examiner interprets microphone and mixer

controls as plural items).

Fado does not teach enabling provision by a user. Miller teaches enabling provision by a

user of modifying settings for a processor (see Miller, column 1, lines 32 – 40). It would have

been obvious to one of ordinary skill in the art at the time of the invention to incorporate the

method of Miller with the method of Fado in order to provide increased user control over system

settings.

However, both Fado and Miller fail to teach displaying both the set menu items

and the menu items that have not been set in a single frame.

Wehmeyer teaches displaying both the set menu items and the menu items that

have not been set in a single frame. (figure 2, item items 203- 207; column 2 ,lines 32-

48; Since 103-107 are the only available menu items under Wehmeyer's FETCH

command, therefore all the menus items are display in a single frame)

It would have been obvious to one of ordinary skill in the art at the time of the

invention to incorporate the method of Wehmeyer with the method of Fado and Miller

in order to provide users with a customizable menu that only includes user's favorite or

the most frequently used commands.

As per claim 17, which is dependent on claim 16, Fado, Miller, and Wehmeyer teach the

method of claim 16 (see rejection above). Fado further teaches the operating method as claimed

in claim 16, wherein the instruction is provided on an initial frame (see Fado, column 7, lines 33

– 42).

As per claim 20, it is of similar scope to claim 16 and is rejected under the same rationale

as claim 16 (see rejection above).

As per claim 21, which is dependent on claim 20, it is of similar scope to claim 17

and rejected under the same rationale as claim 17.

Response to Argument

Applicant's arguments with respect to claims 1, 3 – 7, and 9 – 22 have been considered

but are deemed to be moot in view of the new grounds of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this

final action.

Contact Information

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Peng Ke whose telephone number is (571) 272-4062. The

examiner can normally be reached on M-Th and Alternate Fridays 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Kristine L. Kincaid can be reached on (571) 272-4063. The fax phone number for

the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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